

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
Case No. 3:19-cv-405**

UNITED STATES OF AMERICA)	
AND THE STATE OF NORTH)	
CAROLINA)	
<i>Ex. rel.</i> Heather Coleman,)	
)	AMENDED ANSWER
Plaintiff-Relator,)	OF FAMILY FIRST HOME
)	HEALTHCARE INC., and
v.)	MARION JAMES
FAMILY FIRST HOME HEALTH)	
CARE, Inc., and MARION JAMES,)	
)	
Defendants.)	
)	

Responding to the correspondingly numbered paragraph of the United States Complaint in Intervention, Doc. 41, defendants Family First Home Health Care, Inc., (“Family First”); and Marion James (“Defendant”), Individually, and in her corporate capacity, respond as follows.

1. No response required.
2. The first sentence is admitted. The second sentence is denied.
3. Denied.
4. Denied
5. Denied.
6. Denied.

7. No response required.
8. No response required.
9. No response required.
10. No response required.
11. Admitted.
12. Admitted.
13. No response required.
14. No response required.
15. No response required.
16. No response required.
17. No response required.
18. No response required.
19. Admitted.
20. Admitted.
21. No response required.
22. No response required.
23. No response required.
24. No response required.
25. No response required.
26. No response required.
27. No response required.

28. Admit.

29. No response required.

30. No response required.

31. Admit

32. Admit

33. These answering defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 33 and accordingly they are denied.

34. No response required.

35. No response required.

36. No response required.

37. No response required.

38. No response required.

39. No response required.

40. No response required.

41. No response required.

42. Admitted.

43. These answering defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 43 and accordingly they are denied.

44. These answering defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 44 and accordingly they are denied.

45. These answering defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 45 of the Amended Complaint, and accordingly they are denied.

46. Admitted.

47. These answering defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 47 and accordingly they are denied.

48. These answering defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 48 and accordingly they are denied.

49. These answering defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 49 and accordingly they are denied.

50. These answering defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 50 and accordingly they are denied.

51. These answering defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 51 of the Amended Complaint, and accordingly they are denied.

52. Denied, with respect to the services being “purportedly” provided.

53. Admitted.

54. Admitted.

55. These answering defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 53 and accordingly they are denied.

56. These answering defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 56 and accordingly they are denied.

57. These answering defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 57 and accordingly they are denied.

58. These answering defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 58 and accordingly they are denied.

59. Denied.

60. Admitted.

61. These answering defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 61 and accordingly they are denied.

62. Denied.

63. These answering defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 63 and accordingly they are denied.

64. Denied

65. Denied

66. Admitted

67. These answering defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 67 and accordingly they are denied.

68. These answering defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 68 and accordingly they are denied.

69. These answering defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 69 and accordingly they are denied.

70. Denied.

71. These answering defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 71 and accordingly they are denied.

72. These answering defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 72 and accordingly they are denied.

73. These answering defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 73 and accordingly they are denied.

74. These answering defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 74 and accordingly they are denied.

75. Denied.

76. These answering defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 76 and accordingly they are denied.

77. These answering defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 77 and accordingly they are denied.

78. These answering defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 78 and accordingly they are denied.

79. Denied.

80. These answering defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 80 and accordingly they are denied.

81. These answering defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 81 and accordingly they are denied.

82. These answering defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 82 and accordingly they are denied.

83. These answering defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 83 and accordingly they are denied.

84. Denied.

85. No response required. To the extend a response is required the allegations are denied.

86. No response required.

87. Admitted.

88. Denied.

89. Denied.

90. Denied.

91. Denied.

92. Denied.

93. These answering defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 93 and accordingly they are denied.

94. These answering defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 94 and accordingly they are denied.

95. These answering defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 95 and accordingly they are denied.

96. These answering defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 96 and accordingly they are denied.

97. These answering defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 97 and accordingly they are denied.

98. Denied.

99. Denied.

100. Denied.

101. These answering defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 101 and accordingly they are denied.

102. These answering defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 102 and accordingly they are denied.

103. These answering defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 103 and accordingly they are denied.

104. These answering defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 104 and accordingly they are denied.

105. These answering defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 105 and accordingly they are denied.

106. These answering defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 106 and accordingly they are denied.

107. Denied.

108. Denied.

109. Denied.

110. Denied.

111. Denied.

112. Denied.

113. These answering defendants lack knowledge or information sufficient to form a belief as to the truth of the allegations contained in paragraph 113 and accordingly they are denied.

114. Denied.

115. Denied.

116. Denied.

117. Denied.

118. Denied.

119. Denied.

120. Denied.

121. Denied

122. Admitted.

123. Denied.

124. Denied.

125. Denied.

126. Denied.

127. Denied.

128. Denied.

129. Denied.

130. Denied.

131. Denied.

132. Denied.

133. Denied.

134. Denied.

135. Denied, except admitted that plaintiffs so allege. Defendants incorporate their responses to the preceding paragraphs as if completely set forth herein.

136. Denied.

137. Denied.

138. Denied.

139. Denied, except admitted that plaintiffs so allege. Defendants incorporate their responses to the preceding paragraphs as if completely set forth herein.

140. Denied.

141. Denied.

142. Denied.

143. Denied, except. admitted that plaintiffs so allege. Defendants incorporate their responses to the preceding paragraphs as if completely set forth herein.

144. Denied.

145. Denied.

146. Denied, except admitted that plaintiffs so allege. Defendants incorporate their responses to the preceding paragraphs as if completely set forth herein.

147. Denied.

148. Denied.

149. Denied, except admitted that plaintiffs so allege.

150. Denied

151. Denied

152. Denied, except admitted that plaintiffs so allege. Defendants incorporate their responses to the preceding paragraphs as if completely set forth herein.

153. Denied.

154. Denied.

155. Denied, except admitted that plaintiffs so allege. Defendants incorporate their responses to the preceding paragraphs as if completely set forth herein.

156. Denied.

157. Denied.

158. Denied, except admitted that plaintiffs so allege. Defendants incorporate their responses to the preceding paragraphs as if completely set forth herein.

159. Denied.

160. Denied.

161. Denied, except admitted that plaintiffs so allege. Defendants incorporate their responses to the preceding paragraphs as if completely set forth herein.

162. Denied.

163. Denied.

164. Denied, except admitted that plaintiffs so allege. Defendants incorporate their responses to the preceding paragraphs as if completely set forth herein.

165. Denied.

166. Denied.

167. Denied.

168. Denied, except admitted that plaintiffs so allege. Defendants incorporate their responses to the preceding paragraphs as if completely set forth herein.

169. Denied.

170. Denied.

171. Denied.

172. Denied, except admitted that plaintiffs so allege. Defendants incorporate their responses to the preceding paragraphs as if completely set forth herein.

173. Denied.

174. Denied.

175. Denied, except admitted that plaintiffs so allege. Defendants incorporate their responses to the preceding paragraphs as if completely set forth herein.

PRAYER FOR RELIEF

No response required. To extent a response, Defendants submit Plaintiff is not entitled to the relief requested and any allegations contained therein are denied.

Respectfully submitted this the 19th day of July, 2023.

/s/ Mark A. Jones

Mark A. Jones, NCBA #36215

BELL, DAVIS & PITT, P.A.

100 N. Cherry Street, Ste. 100

P. O. Box 21029

Winston-Salem, NC 27120

Tel: (336) 722-3700

mjones@belldavispitt.com

*Attorney for Defendants Family First
Home Health Care Inc., and Marion
James*

CERTIFICATE OF SERVICE

This is to certify that the undersigned has this date electronically filed the foregoing Answer and with the Clerk of the Court and served the Plaintiffs using the CM/ECF system.

This the 19th day of July, 2023.

/s/ Mark A. Jones

MARK A. JONES (N.C.S.B. 36215)

Attorney for Defendants Family

First Home Health Care Inc., and

Marion James